

Reconsideration of the rejection of the claims under 35 U.S.C. 102 and 103 is respectfully requested. Claim 1, the only independent claim in this case, has been amended to change the word "bed" to -mattress-. Thus the claim now requires that the flexible potentiometer be mounted on top of the mattress. The Hasty reference shows no potentiometer on top of the mattress but rather shows one under the mattress. Thus the 102 rejection based on Hasty should be withdrawn. As the Examiner readily admits, each of the 103 rejections requires a plurality of references since no one reference shows the subject matter defined by each claim.

The Berger reference relied upon by the Examiner places the weighing device on the frame under the mattress. There is no suggestion in Berger or any of the other references to place the flexible potentiometer on top of the mattress for purposes of weighing.

The Hammett reference, which the Examiner asserts shows flexible potentiometer placed in a bed sheet which change resistance when compressed, does not monitor changes in weight but rather merely detects the position of a patient in bed. Applicants novel combination of structure as set forth in the claims is, by Examiner's own statements novel and no teaching exists within these references to make such a combination of them. In fact, if anything the references as a whole reach away from the instant invention.

For the reason set forth above, it is respectfully suggested that the application as amended is in condition for allowance and such allowance is respectfully requested.

The Examiner is invited to telephone the undersigned, Applicants attorney of record, to facilitate advancement of the present application. The Commissioner is hereby

A handwritten signature, possibly reading 'A', is located at the bottom center of the page.

authorized to charge any fees associated with filing this correspondence to Deposit
Account No. 06-0923.

Dated: April 6, 2000

Respectfully submitted,


Richard I. Samuel, Esq.

Registration No.

FRIEDMAN SIEGELBAUM LLP

7 Becker Farm Road

Roseland, New Jersey 07068

(973)992-1990

Attorneys for Applicant

F:\users\RSamuel\Salgo\Amendment to File.doc

A